

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE  
EMPLOYEES RETIREMENT SYSTEM OF THE  
GOVERNMENT OF THE COMMONWEALTH OF  
PUERTO RICO, AND THE PUERTO RICO PUBLIC  
BUILDINGS AUTHORITY,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO, as  
representative of THE COMMONWEALTH OF  
PUERTO RICO, THE EMPLOYEES RETIREMENT  
SYSTEM OF THE GOVERNMENT OF THE  
COMMONWEALTH OF PUERTO RICO, AND THE  
PUERTO RICO PUBLIC BUILDINGS AUTHORITY,

Movant,

v.

AMERINATIONAL COMMUNITY SERVICES, LLC,  
as servicer for the GDB Debt Recovery Authority, and  
CANTOR-KATZ COLLATERAL MONITOR LLC

Respondents.

**FURTHER JOINT STATUS REPORT REGARDING MOTIONS *IN*  
*LIMINE* TO EXCLUDE EXPERT TESTIMONY OF LIZETTE  
MARTINEZ AND DOUGLAS J. BRICKLEY**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of Debtors the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Public Buildings Authority (“PBA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth and PBA, the “Debtors”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>1</sup> on the one hand, and Amerinational Community Services, LLC, as servicer for the GDB Debt Recovery Authority, and Cantor-Katz Collateral Monitor LLC (collectively, the “DRA Parties”) on the other hand, respectfully submit this joint status report (this “Joint Status Report”) in compliance with the Court’s *Order Regarding Determinations Made on the Record at the November 1, 2021 Pretrial Conference Concerning Motions in Limine* [Case No. 17-BK-3283-LTS, ECF No. 19020] dated November 2, 2021 (the “Joint Status Report Order”), and request leave to file a further joint status report by no later than 12:00 p.m. (AST) on November 5, 2021.

### **JOINT STATUS REPORT**

1. On November 1, 2021, the Court heard oral argument regarding the *Debtors’ Notice of Motion and Motion in Limine for Order Excluding Expert Testimony of Lizette Martinez* [ECF No. 18330] and the *Debtors’ Notice of Motion and Motion in Limine for Order Excluding Expert Testimony of Douglas J. Brickley* [ECF No. 18332] (the “Motions in Limine”).

2. The Court ordered the Oversight Board and the DRA Parties (collectively, the “Parties”) “to meet and confer and file a joint status report **by November 4, 2021, at 12:00 p.m. (Atlantic Standard Time)** indicating whether and to what extent they (a) stipulate to relevant facts, (b) anticipate reduction of the scope of the DRA Parties’ objection to the proposed plan of

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<sup>1</sup> PROMESA is codified at 48 U.S.C. §§ 2101–2241.

adjustment, and (c) anticipate a reduction in the evidence to be offered by the DRA Parties at trial, including specification of any exhibits as to which the DRA Parties have requested sealed treatment that will not be offered.” Joint Status Report Order ¶ 4.

3. On November 4, 2021, the Parties filed their *Joint Status Report Regarding Motions in Limine to Exclude Expert Testimony of Lizette Martinez and Douglas J. Brickley and Request for Leave to File a Further Joint Status Report by no Later than 12:00 p.m. on November 5, 2021* [ECF No. 19065]. The Court granted the Parties’ request, and directed them to file a further joint status report by 12:00 p.m. on November 5, 2021.

4. The Parties have met and conferred in good faith in compliance with the Joint Status Report Order. The Parties have not yet reached agreement on stipulated facts. However, discussions between the Parties are continuing, and the Parties will promptly advise the Court of any agreement before Monday.

*[Remainder of page intentionally left blank.]*

Dated: November 5, 2021  
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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